

REMARKS/ARGUMENTS

The Non-Final Office Action mailed April 9, 2010, has been received and the Examiner's comments carefully reviewed. Claims 16-19, 22, and 23 were rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Reconsideration and further is respectfully requested.

Claim Rejections Under 35 U.S.C. § 101

Although Applicant does not necessarily agree or acquiesce to the rejections made in the office action, Applicant has amended claim 16 to expedite allowance of subject matter. Claim 16 has been amended to recite "A computer program product comprising computer executable instructions embodied in a hardware computer-readable storage media" Applicants respectfully request withdrawal of the rejections.

Conclusion

This Amendment fully responds to the Office Action mailed on April 9, 2010. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment because they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the references of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability, which may be argued at a later time.

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

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